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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/631,973	HAMILTON ET AL.
	Examiner	Art Unit
	TIEN C. NGUYEN	4127

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *8/1/2003*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-23* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>01 August 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>2/24/2004 and 12/27/2007</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   The following is a non-final, first office action on the merits. Preliminary Amendment

received on April 09, 2004 has been acknowledged. Claims 1-23 are pending.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

> (e) the invention was described in a patent granted on an application for patent by another
> filed in the United States before the invention thereof by the applicant for patent, or on an
> international application by another who has fulfilled the requirements of paragraphs (1), (2),
> and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of

1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of

2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

3.   **Claims 1, 2, 11, 13, 14 are rejected under 35 U.S.C. 102(e) as being anticipated by**

Amalraj et al. (2004/0215560).

        As per claim 1, Amalraj et al. discloses a method for making a payment (via the

automated process of bill payment; paragraph [0005]) to a payee (via a biller; paragraph [0005])

on behalf of a payor (A consumer is referred as a payor. Consumer employs a payment

requesting source to generate a payment request for transferring funds from the consumer to a

biller to pay a bill. Therefore, based on behalf of a consumer, a payment request has been generated to pay a bill to a biller; paragraph [0005]), comprising:

receiving a payment request to pay a payee on behalf of a payor (paragraph [0005] discloses a consumer employs a payment requesting source to generate a payment request for transferring funds from the consumer to a biller to pay a bill. Therefore, based on behalf of a consumer, a payment request has been generated to pay a bill to a biller. Paragraph [0055] discloses a payment request is received. Therefore, receiving a payment request to pay a biller on behalf of a consumer);

selecting, based upon the received payment request, one processing parameter (via a payment method engine) from at least two of a speed of processing parameters, a cost of processing parameter (a cost of the payment method engine; paragraph [0078]), and a risk of processing parameter (via a financial risk of the payment method engine; paragraph [0076]) associated with completing the payment (via a payment notice indicating a completed payment transaction has been created by the integrated payment engine; paragraph [0089]. The integrated payment engine coupled with the payment method engine. Therefore, the payment method engine associated with completed payment; paragraph [0026]); and

effecting payment (via payment mode is selected to issue a payment; paragraph [0098]) in accordance with the one selected processing parameter (paragraph [0098] discloses a cost of using the payment mode selected such paper check transaction mode versus electronic transaction mode in order to process and issue a payment. Therefore, effecting payment associated accordance with a cost of the payment method engine).

As per claim 2 and 14, Amalraj et al. discloses a method and system wherein the one processing parameter is selected based upon at least one of the identity of the payor (a risk of

the payment method engine is selected based on at least one of the identity of the consumer

information; paragraph [0076]).

As per claim 11, Amalraj et al. discloses a method further comprising:

selecting a form of payment based upon the selected processing parameter (selecting a

form of payment based upon the payment requesting source parameter in Fig.4; paragraphs

[0061]).

wherein the payment is effected in the selected form (the actual bill payment is effected

in the selected form in the payment requests 76; paragraph [0062]).

As per claim 13: Amalraj et al. discloses a system for making a payment to a payee on

behalf of a payor, comprising:

a communications interface configured (paragraphs [0004] & [0005] discloses a

computer based systems which include a communication interface is configured to interact and

couple across various entities over a computer network) to receive a payment request to pay a

payee on behalf of a payor (paragraph [0005] discloses a consumer employs a payment

requesting source to generate a payment request for transferring funds from the consumer to a

biller to pay a bill. Therefore, based on behalf of a consumer, a payment request has been

generated to pay a bill to a biller. Paragraph [0055] discloses a payment request is received.

Therefore, receiving a payment request to pay a biller on behalf of a consumer); and

a processor configured (see paragraph [0038]) to i) select, based upon the received

payment request, one processing parameter (via a payment method engine) from at least two of

a speed of processing parameter, a cost of processing parameter (a cost of the payment

method engine; paragraph [0078]), and a risk of processing parameter (via a financial risk of the

payment method engine; paragraph [0076]), and ii) to cause payment to be effected in

accordance with the one selected processing parameter (paragraph [0098] discloses a cost of

using the payment mode selected such as paper check transaction mode versus electronic

transaction mode in order to process and issue a payment. Therefore, effecting payment

associated accordance with a cost of the payment method engine).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

5.   **Claims 3-10, and 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Amalraj et al. (2002/0032651) in view of Praisner (2004/0230526).

        As per claim 3, Amalraj et al. teaches all the elements of the claim invention, but fail

explicitly to teach a method wherein each of the at least two processing parameters is

associated with a priority, and further comprising:

        identifying one of the at least two processing parameters having a highest of the

associated priorities;

        wherein the selected one parameter is the identified one parameter having the highest

associated priority.

        Praisner teaches a method to prioritizing one of the payment functions ([paragraph

[0032] in Fig. 4) wherein at least one payment functions (via the payment mechanism;

paragraph [0032]) is associated with a priority (via the payment mechanism is associated with a

Priority 1; paragraph [0032]), further comprising:

identifying one of the at least two payment functions having a highest of the associated

priorities (determining the payment mechanisms associated with Priorities 1, Priorities 2, and

Priorities 3. Since Priorities 1 is prioritized as the first priority, Priorities 1 is having a highest of

the associated priorities. Therefore, the payment mechanism associated with Priorities 1 having

a highest of the associated priorities; paragraph [0032]);

wherein the selected one payment function is the identified one payment function having

the highest associated priority (the selected payment mechanism associated with Priorities 1 is

the identified payment mechanism having the highest associated priority).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify a method of Amalraj et al. to include a priority associated with the

payment function as taught by Praisner in order to provide the predetermined priority factors of

payment functions per customer desires.

As per claims 4 and 16, Amalraj et al. further teaches a system and method, wherein:

the payment request is received by a payment service provider (paragraph [0023]

discloses an integrated payment engine may be used to couple together with a variety of

consumer service provider (CSP) and biller service provider (BSP). Paragraph [0055] also

discloses the payment request is received by the integrated payment engine. Therefore, the

payment request is received by a service provider).

Amalraj et al. teaches all the elements of the claim invention, but fails explicitly to teach

a system and method, wherein:

the associated priority of each of the at least two processing parameters is determined

by at least one of the payor.

Praisner teaches a method to prioritizing one of the payment functions ([paragraph

[0032] in Fig. 4) wherein at least one payment functions wherein:

the associated priority of each of the at least two payment functions is determined by at

least one of the payor (the payor is referred as the customers. Paragraph [0032] discloses the

associated Priority 1 of the payment mechanism is determined by the payment control system

100. Paragraph [0018] also discloses the payment control system 100 is coupled with the

customers. Therefore, the associated Priority 1 of the payment mechanism is determined by

the payor).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify a system and method of Amalraj et al. to include the associated

priority is determined by at least one of the payor as taught by Praisner in order to provide the

predetermined priority factors of payment functions per customer desires.

As per claims 5 and 17, Amalraj et al. further teaches a method and system wherein:

the at least two the speed of the processing parameter, the cost of processing parameter

(a cost of the payment method engine; paragraph [0078] in view of Amalraj et al.), and the risk

of processing parameter (via a financial risk of the payment method engine; paragraph [0076] in

view of Amalraj et al.).

Amalraj et al. teaches all the elements of the claim invention, but fails to explicitly teach

a method, wherein:

If the payor determines the associated priority of a processing parameter, the payor determines the associated priority of the speed of processing parameter and the associated priority of the cost of processing parameter, but not the associated priority of the risk of processing parameter;

If a consumer service provider determines the associated priority of a processing parameter, the consumer service provider determines the associated priority of each of the speed of processing parameter, cost of processing parameter, and risk of processing parameter; and

If a payment service provider determines the associated priority of a processing parameter, the payment service provider determines the associated priority of each of the speed of processing parameter, cost of processing parameter, and risk of processing parameter.

Praisner teaches a method and system to prioritizing one of the payment functions wherein:

If the payor determines the associated priority of a payment function, the payor determines the associated priority of the payment function (Paragraph [0018] discloses the payment control system is couple together with customer. Paragraph [0032] discloses the payment control system determines the associated Priority 1 of the payment mechanism. Therefore, the consumer determines the associated Priority 1 of the payment mechanism function).

If a consumer service provider (via the Internet service providers; paragraph [0018]) determines the associated priority of a payment function, the consumer service provider determines the associated priority of the payment function (Paragraph [0018] discloses the

payment control system is couple together with the Internet service providers. Paragraph [0032] discloses the payment control system determines the associated Priority 1 of the payment mechanism. Therefore, the Internet service providers determine the associated Priority 1 of the payment mechanism function).

If a payment service provider (via the Internet service providers; paragraph [0018]) determines the associated priority of a payment function, the payment service provider determines the associated priority of the payment function (Paragraph [0018] discloses the payment control system is couple together with the Internet service providers. Paragraph [0032] discloses the payment control system determines the associated Priority 1 of the payment mechanism. Therefore, the Internet service providers determine the associated Priority 1 of the payment mechanism function).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify a system and method of Amalraj et al. to include the associated priority is determined by at least one of the payor as taught by Praisner in order to provide the predetermined priority factors of payment functions per customer desires.

As per claim 6, Amalraj et al. teaches all the elements of the claim invention, but fails to explicitly teach a method wherein the payment request is received by a payment service provider, and further comprising:

determining if a consumer service provider associated with the payor has determined the associated priority of the at least processing parameters;

wherein, if it is determined that the consumer service provider has determined the associated priority of each of the at least two processing parameters, the one identified

processing parameter is the processing parameter having the highest priority as determined by the consumer service provider; and

wherein, if it is determined that the consumer service provider has not determined the associated priority of each of the at least two processing parameters, the one identified processing parameter is the processing parameter having the highest priority as determined by the payment service provider.

Praisner teaches a method to prioritizing one of the payment functions ([paragraph [0032] in Fig. 4) wherein the payment request is received by a payment service provider (Paragraph [0018] discloses the payment control system is couple together with the Internet service providers. Paragraph [0009] discloses the required payment is received by the payment control system. Therefore, the required payment is received by the service provider), and further comprising:

determining if a consumer service provider associated with the payor has determined the associated priority of the at least payment function (Paragraph [0018] discloses the payment control system is couple together with the Internet service providers and customer. So, the Internet service providers associated with the customer. Therefore, the Internet service providers associated with the customer has determined the associated Priority 1 of the payment mechanism; paragraph [0032]);

wherein, if it is determined that the consumer service provider has determined the associated priority of each of the at least two payment functions, the one identified payment function is the payment function having the highest priority as determined by the consumer service provider (Paragraph [0018] discloses the payment control system is couple together with the Internet service providers. Therefore, if the payment control system has determined the

associated Priority 1 of the payment mechanism, the payment mechanism associated with

Priority 1 is identified of having the highest priority as determined by the Internet service

provider);

wherein, if it is determined that the consumer service provider has not determined (via in

the case where commercial card payment is not an option, the commercial card payment might

not been determined to be prioritized; paragraph [0034]) the associated priority of each of the at

least two payment functions, the one identified payment function is the payment function having

the highest priority as determined by the payment service provider (the next path priority of the

payment mechanism is identified of having the highest priority when the commercial card is not

available; paragraph [0034]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify a system and method of Amalraj et al. to include the

determinations of the associated priority as taught by Praisner in order to provide the

predetermined priority factors of payment functions per customer desires.

As per claim 7, Amalraj et al. teaches a method wherein the at least two the speed of

the processing parameter, the cost of processing parameter (a cost of the payment method

engine; paragraph [0078] in view of Amalraj et al.), and the risk of processing parameter (via a

financial risk of the payment method engine; paragraph [0076] in view of Amalraj et al.).

Amalraj et al. teaches all the elements of the claim invention, but fails to explicitly teach:

determining if the payor has determined the associated priority of the speed of

processing parameter and the associated priority of cost of processing parameter;

wherein, if it is determined that the consumer service provider has determined a
the associated priority of each processing parameter and that the payor has determined
the associated priority of the speed of processing parameter and the cost of processing
parameter, the one identified processing parameter is the processing parameter having the
highest associated priority as determined by at least one of the consumer service provider
and the payor; and

wherein, if it is determined that the consumer service provider has not determined a
the associated priority of each processing parameter and that the payor has determined the
associated priority of the speed of processing parameter and the cost of processing parameter,
the one identified processing parameter is the processing parameter having the highest
associated priority as determined by at least one of the payment service provider and the payor.

Praisner teaches a method to prioritizing one of the payment functions ([paragraph
[0032] in Fig. 4) further comprising:

determining if the payor has determined the associated priority of the payment function
(Paragraph [0018] discloses the payment control system is couple together with the customer.
Therefore, the customer has determined the associated Priority 1 of the payment mechanism;
paragraph [0032]);

wherein, if it is determined that the consumer service provider has determined a
the associated priority of each payment function and that the payor has determined
the associated priority payment functions, the one identified payment function is the payment
function having the highest associated priority as determined by at least one of the consumer
service provider and the payor (Paragraph [0018] discloses the payment control system is
couple together with the Internet service providers and the customer. Therefore, if the payment

control system has determined the associated Priority 1 of the payment mechanism, the

payment mechanism associated with Priority 1 is identified of having the highest priority as

determined by at least one of the Internet service provider and the customer); and

wherein, if it is determined that the consumer service provider has not determined (via in

the case where commercial card payment is not an option, the commercial card payment might

not been determined to be prioritized; paragraph [0034]) the associated priority of each payment

function and that the payor has determined the associated priority of the payment function, the

one identified payment function is the payment function having the highest associated priority as

determined by at least one of the payment service provider and the payor (the next path priority

of the payment mechanism is identified of having the highest priority when the commercial card

is not available; paragraph [0034]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify a system and method of Amalraj et al. to include the

determinations of the associated priority as taught by Praisner in order to provide the

predetermined priority factors of payment functions per customer desires.

As per claim 8, Amalraj et al. teaches all the elements of the claim invention, but fails to

explicitly teach a method wherein each of the at least two processing parameter is associated

with a priority, and further comprising:

identifying the one of the at least two processing parameters having a highest of the

associated priorities;

determining those of a plurality of debit/credit combinations available to effect payment

in accordance with the one identified processing parameter;

wherein, if only one of the plurality of debit/credit combinations is determined to be available, the selected processing parameter is the one identified processing parameter and the payment is effected by the one debit/credit combination.

Praisner teaches a method to prioritizing one of the payment functions ([[paragraph [0032] in Fig. 4) wherein at least one payment functions (via the payment mechanism; paragraph [0032]) is associated with a priority (via the payment mechanism is associated with a Priority 1; paragraph [0032]), and further comprising:

identifying the one of the at least two payment functions having a highest of the associated priorities (determining the payment mechanisms associated with Priorities 1, Priorities 2, and Priorities 3. Since Priorities 1 is prioritized as the first priority, Priorities 1 is having a highest of the associated priorities. Therefore, the payment mechanism associated with Priorities 1 having a highest of the associated priorities; paragraph [0032]);

determining those of a plurality of debit/credit combinations (via a plurality of credit card transactions and payment option; paragraphs [0032] & [0034]) available to effect payment in accordance with the one identified payment function (plurality of credit card payment option and transactions available to effect payment in accordance with the payment mechanism paragraphs [0032] & [0034]);

wherein, if only one of the plurality of debit/credit combinations is determined to be available (via when next payment option is available; paragraph [0034] in Fig 4.), the selected payment function is the one identified payment function and the payment is effected by the one debit/credit combination (the payment mechanism could be implemented to effect the payment options).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify a system and method of Amalraj et al. to include the determinations of the associated priority as taught by Praisner in order to make the entire payment process more efficient.

As per claim 9, Amalraj et al. teaches all the elements of the claim invention, but fails to explicitly teach a method wherein each of the plurality of debit/credit combinations is associated with a rank for each of the at least two processing parameters, and further comprising:

if more than one of the plurality of debit/credit combinations is determined to be available, identifying the one of the more than one available debit/credit combinations having a highest rank associated with the one identified processing parameter;

wherein the selected processing parameter is the one identified processing parameter and the payment is effected by the one identified debit/credit combination.

Praisner teaches a method to prioritizing one of the payment functions ([paragraph [0032] in Fig. 4) wherein each of the plurality of debit/credit combinations is associated with a rank for each of the at least two payment functions (via a plurality of credit card transactions and payment option is associated with a rank such as first, Priority1,2 ,3, next, and last; paragraphs [0032] & [0034]), and further comprising:

if more than one of the plurality of debit/credit combinations is determined to be available, identifying the one of the more than one available debit/credit combinations having a highest rank associated with the one identified payment function (if more than one of the credit card transactions and payment option is determined to be available, the Priority 1 or

the first priority is identified having a highest rank associated with the payment mechanism;

[paragraphs [0032] & [0034]);

wherein the selected payment mechanism is the one identified payment function is

effected by the one identified debit/credit combination (the payment mechanism could be

implemented to effect the payment options; paragraph [0034]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify a system and method of Amalraj et al. to include the

determinations of the associated priority as taught by Praisner in order to make the entire

payment process more efficient.

As per claims 10 and 22, Amalraj et al. further teaches all the elements of the claim

invention, but fails to explicitly teach a system and method wherein if none of the more than one

debit/credit combinations determined to be available is identified as having a highest rank

associated with the one identified processing parameter having the highest priority, the selected

processing parameter is a processing parameter other than the one identified processing

parameter having the highest priority.

Praisner teaches a system and method to prioritizing one of the payment functions

([paragraph [0032] in Fig. 4) wherein if none of the more than one debit/credit combinations

determined to be available is identified as having a highest rank associated with the one

identified payment function having the highest priority (via in the case when the commercial card

payment having the highest rank is not an option. Therefore, none of the commercial card

payment is available; paragraph [0034]), the selected payment function is a payment function

other than the one identified processing parameter having the highest priority (when the

commercial card payment option is not available, the ACH payment option would be identified of having the highest priority; paragraph [0034]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify a system and method of Amalraj et al. to include the determinations of the associated priority as taught by Praisner in order to make the entire payment process more efficient.

As per claim 15, Amalraj et al. teaches all the elements of the claim invention, but fails to explicitly teach a system, wherein:

each of the at least two processing parameters is associated with a priority;

the processor is further configured to i)identifying the one of the at least two processing parameters having a highest of the associated priorities, and ii) select the one identified parameter having the highest associated priority.

Praisner teaches a system to prioritizing one of the payment functions ([paragraph [0032] in Fig. 4), wherein:

Each of the at least two payment functions (via a payment mechanism; paragraph [0032]) is associated with a priority (via the payment mechanism is associated with a Priority 1; paragraph [0032]);

the processor is further configured (via a payment module is configured and is part of the payment control system. Therefore, the payment control system is further configured as well; paragraph [0011] in Fig.1) to i) identifying one of the at least two payment functions having a highest of the associated priorities (determining the payment mechanisms associated with Priorities 1, Priorities 2, and Priorities 3. Since Priorities 1 is prioritized as the first priority,

Priorities 1 is having a highest of the associated priorities. Therefore, the payment mechanism

associated with Priorities 1 is identified of having a highest of the associated priorities;

paragraph [0032]); select the one payment function having the highest associated priority

(select the payment mechanism associated with Priority 1 of having the highest associated

priority).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify a method of Amalraj et al. to include a priority associated with the

payment function as taught by Praisner in order to provide the predetermined priority factors of

payment functions per customer desires.

As per claim 18, Amalraj et al. teaches a system where in:

the payment request is received by a payment service provider (paragraph [0056]

discloses an integrated payment engine is coupled together with the consumer service provider

and the biller service provider. Paragraph [0055] discloses the payment request is received by

the integrated payment engine. Therefore, the payment request is received by a service

provider).

Amalraj et al. teaches all the elements of the claim invention, but fails to explicitly teach

a system, wherein:

The processor is further configured to determine if a consumer service provider

associated with the payor has determined the associated priority of the at least processing

parameters;

if it is determined that the consumer service provider has determined the associated

priority of each of the at least two processing parameters, the one identified processing

parameter is the processing parameter having the highest priority as determined by the

consumer service provider; and

if it is determined that the consumer service provider has not determined the associated

priority of each of the at least two processing parameters, the one identified processing

parameter is the processing parameter having the highest priority as determined by the

payment service provider.

Praisner teaches a system to prioritizing one of the payment functions ([paragraph

[0032] in Fig. 4), wherein:

The processor is further configured (via a payment module is configured and is part of

the payment control system. Therefore, the payment control system is further configured as

well; paragraph [0011] in Fig.1) to determine if a consumer service provider associated with the

payor has determined the associated priority of the at least payment function (Paragraph [0018]

discloses the payment control system is couple together with the Internet service providers and

customer. So, the Internet service providers associated with the customer. Therefore, the

Internet service providers associated with the customer has determined the associated Priority 1

of the payment mechanism; paragraph [0032]);

if it is determined that the consumer service provider has determined the associated

priority of each of the at least two payment functions, the one identified payment function is the

payment function having the highest priority as determined by the consumer service provider

(Paragraph [0018] discloses the payment control system is couple together with the Internet

service providers. Therefore, if the payment control system has determined the associated

Priority 1 of the payment mechanism, the payment mechanism associated with Priority 1 is

identified of having the highest priority as determined by the Internet service provider);

if it is determined that the consumer service provider has not determined (via in the case where commercial card payment is not an option, the commercial card payment might not been determined to be prioritized; paragraph [0034]) the associated priority of each of the at least two payment functions, the one identified payment function is the payment function having the highest priority as determined by the payment service provider (the next path priority of the payment mechanism is identified of having the highest priority when the commercial card is not available; paragraph [0034]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify a system and method of Amalraj et al. to include the determinations of the associated priority as taught by Praisner in order to provide the predetermined priority factors of payment functions per customer desires.

As per claim 19, Amalraj et al. teaches a system wherein the at least two the speed of the processing parameter, the cost of processing parameter (a cost of the payment method engine; paragraph [0078] in view of Amalraj et al.), and the risk of processing parameter (via a financial risk of the payment method engine; paragraph [0076] in view of Amalraj et al.).

Amalraj et al. teaches all the elements of the claim invention, but fails to explicitly teach a system, wherein:

The processor is further configured to determine if a consumer service provider associated with the payor has determined the associated priority of the at least processing parameters;

if it is determined that the consumer service provider has determined a the associated priority of each processing parameter and that the payor has determined

the associated priority of the speed of processing parameter and the cost of processing

parameter, the one identified processing parameter is the processing parameter having the

highest associated priority as determined by at least one of the consumer service provider

and the payor; and

if it is determined that the consumer service provider has not determined a

the associated priority of each processing parameter and that the payor has determined the

associated priority of the speed of processing parameter and the cost of processing parameter,

the one identified processing parameter is the processing parameter having the highest

associated priority as determined by at least one of the payment service provider and the payor.

Praisner teaches a system to prioritizing one of the payment functions ([paragraph

[0032] in Fig. 4), wherein:

The processor is further configured (via a payment module is configured and is part of

the payment control system. Therefore, the payment control system is further configured as

well; paragraph [0011] in Fig.1) to determine if a consumer service provider associated with the

payor has determined the associated priority of the at least payment function (Paragraph [0018]

discloses the payment control system is couple together with the Internet service providers and

customer. So, the Internet service providers associated with the customer. Therefore, the

Internet service providers associated with the customer has determined the associated Priority 1

of the payment mechanism; paragraph [0032]);

if it is determined that the consumer service provider has determined a

the associated priority of each payment function and that the payor has determined

the associated priority payment functions, the one identified payment function is the payment

function having the highest associated priority as determined by at least one of the consumer

service provider and the payor (Paragraph [0018] discloses the payment control system is couple together with the Internet service providers and the customer. Therefore, if the payment control system has determined the associated Priority 1 of the payment mechanism, the payment mechanism associated with Priority 1 is identified of having the highest priority as determined by at least one of the Internet service provider and the customer); and

if it is determined that the consumer service provider has not determined (via in the case where commercial card payment is not an option, the commercial card payment might not been determined to be prioritized; paragraph [0034]) the associated priority of each payment function and that the payor has determined the associated priority of the payment function, the one identified payment function is the payment function having the highest associated priority as determined by at least one of the payment service provider and the payor (the next path priority of the payment mechanism is identified of having the highest priority when the commercial card is not available; paragraph [0034]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify a system of Amalraj et al. to include the determinations of the associated priority as taught by Praisner in order to provide the predetermined priority factors of payment functions per customer desires.

As per claim 20, Amalraj et al. teaches all the elements of the claim invention, but fails to explicitly teach a system, wherein:

each of the at least two processing parameter is associated with a priority;

the processor is further configured to i) identifying the one of the at least two processing parameters having a highest of the associated priorities, and ii) determine those of a plurality of

debit/credit combinations available to effect payment in accordance with the one identified

processing parameter; and

if only one of the plurality of debit/credit combinations is determined to be available, the

selected processing parameter is the one identified processing parameter and the payment is

effected by the one debit/credit combination.

Praisner teaches a system to prioritizing one of the payment functions ([paragraph

[0032] in Fig. 4), wherein:

Each of the at least two payment functions (via the payment mechanism; paragraph

[0032]) is associated with a priority (via the payment mechanism is associated with a Priority 1;

paragraph [0032]);

the processor is further configured (via a payment module is configured and is part of the

payment control system. Therefore, the payment control system is further configured as well;

paragraph [0011] in Fig.1) to i) identify the one of the at least two payment functions having a

highest of the associated priorities (identify the payment mechanisms associated with Priorities

1, Priorities 2, and Priorities 3. Since Priorities 1 is prioritized as the first priority, Priorities 1 is

having a highest of the associated priorities. Therefore, the payment mechanism associated

with Priorities 1 is identified of having a highest of the associated priorities; paragraph [0032]),

and ii) determine those of a plurality of debit/credit combinations (via a plurality of credit card

transactions and payment option; paragraphs [0032] & [0034]) available to effect payment in

accordance with the one identified payment function (plurality of credit card payment option and

transactions available to effect payment in accordance with the payment mechanism

paragraphs [0032] & [0034]);

if only one of the plurality of debit/credit combinations is determined to be available (via when next payment option is available; paragraph [0034] in Fig 4.), the selected payment function is the one identified payment function and the payment is effected by the one debit/credit combination (the payment mechanism could be implemented to effect the payment options).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify a system of Amalraj et al. to include the determinations of the associated priority as taught by Praisner in order to make the entire payment process more efficient.

As per claim 21, Amalraj et al. teaches all the elements of the claim invention, but fails to explicitly teach a system wherein:

each of the plurality of debit/credit combinations is associated with a rank for each of the at least two processing parameters;

the processor is further configured to, if more than one of the plurality of debit/credit combinations is determined to be available, identifying the one of the more than one available debit/credit combinations having a highest rank associated with the one identified processing parameter; and

the selected processing parameter is the one identified processing parameter and the payment is effected by the one identified debit/credit combination.

Praisner teaches a system to prioritizing one of the payment functions ([paragraph [0032] in Fig. 4), wherein:

each of the plurality of debit/credit combinations is associated with a rank for each of the

at least two payment functions (via a plurality of credit card transactions and payment option is

associated with a rank such as first, Priority1,2 ,3, next, and last; paragraphs [0032] & [0034]);

the processor is further configured (via a payment module is configured and is part of the

payment control system. Therefore, the payment control system is further configured as well;

paragraph [0011] in Fig.1) to, if more than one of the plurality of debit/credit combinations is

determined to be available, identifying the one of the more than one available debit/credit

combinations having a highest rank associated with the one identified payment function (if more

than one of the credit card transactions and payment option is determined to be available, the

Priority 1 or the first priority is identified having a highest rank associated with the payment

mechanism; [paragraphs [0032] & [0034]);

the selected payment mechanism is the one identified payment function is effected by

the one identified debit/credit combination (the payment mechanism could be implemented to

effect the payment options; paragraph [0034]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify a system of Amalraj et al. to include the determinations of the

associated priority as taught by Praisner in order to make the entire payment process more

efficient.

6.   **Claims 12 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Amalraj et al. (2004/0215560) in view of Embrey (2002/0032651).

As per claims 12, Amalraj et al. teaches all the elements of the claim invention, but fail

to explicitly teach a method wherein the selected form of payment is one of an electronic funds

transfer drawn on a deposit account other than the payor deposit account.

Embrey teaches a method of the selected form of payment (via an electronic form or printed check form of each negotiable instrument; paragraph [0020]) is one of an electronic funds transfer drawn on a deposit account other than the payor deposit account (the negotiable instrument is one of the selected payment form of an electronic funds transfer to pull funds on deposit funds account; paragraph [0082]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify a method of Amalraj et al. to include a selected form of payment as taught by Embrey in order to provide the customization of payment formats for the users.

As per claim 23, Amalraj et al. teaches a system, wherein:

a processor configured (see paragraph [0038]) to i) select a form of payment based upon the selected processing parameter (selecting a form of payment based upon the payment requesting source parameter in Fig.4; paragraphs [0061]), and ii) cause the payment is effected in the selected form (the actual bill payment is effected in the selected form in the payment requests 76; paragraph [0062]).

Amalraj et al. teaches all the elements of the claim invention, but fail to explicitly teach a system wherein the selected form of payment is one of an electronic funds transfer drawn on a deposit account other than the payor deposit account.

Embrey teaches a system of the selected form of payment (via an electronic form or printed check form of each negotiable instrument; paragraph [0020]) wherein one of an electronic funds transfer drawn on a deposit account other than the payor deposit account (the negotiable instrument is one of the selected payment form of an electronic funds transfer to pull funds on deposit funds account; paragraph [0082]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify a system of Amalraj et al. to include a selected form of payment

as taught by Embrey in order to provide the customization of payment formats for the users.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosures Farrar et al. (US. 6,647,376), Keown et al. (2004/0019605), and Cataline et al.

(2007/0162387).

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Tien C. Nguyen whose telephone number is 571-270-5108. The examiner

can normally be reached on Monday-Thursday (8:00am-4:00pm EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lynda Jasmin can be reached on 571-270-3033. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TN

1/16/2008   /Lynda Jasmin/
                                                             Supervisory Patent Examiner, Art Unit 4127